

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 24647 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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- 1 Whether Reporters of Local Papers may be allowed to see the judgment ?
- 2 To be referred to the Reporter or not ?
- 3 Whether their Lordships wish to see the fair copy of the judgment ?
- 4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
- 5 Whether it is to be circulated to the civil judge ?

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SARVODAYA CHARITABLE TRUST - Petitioner(s)

Versus

STATE OF GUJARAT & 3 - Respondent(s)

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Appearance :

MS MAMTA R VYAS for Petitioner(s) : 1,
MR. PRACHCHHAK, ASST. GOVERNMENT PLEADER for Respondent(s) : 1,
None for Respondent(s) : 2 - 4.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 27/12/2005

ORAL JUDGMENT

1.In this petition under Article 226 of the Constitution of India, the petitioner-trust has challenged the legality and validity of the orders passed by the respondent-university dated 6/21.12.2004 refusing to

grant affiliation to start new B.Ed. College at Kankanpur, District Panchmahals for the academic year 2005-2006.

2.It is required to be noted that the application which was submitted by the petitioner for affiliation for the academic year 2005-2006, came to be rejected and the present Special Civil Application has been moved in the month of December-2005 i.e. after almost the academic year is over. Under the circumstances, by efflux of time the present Special Civil Application has become infructuous. It will be open for the petitioner to move an appropriate application for the subsequent academic year and as and when such an application is made, the same is required to be considered by the appropriate authority in accordance with law and on merits.

3.With these observations and direction, the present Special Civil Application is dismissed as having become infructuous.

(M.R.SHAH, J.)

kdc.